

Notice of Allowability

Application No.

10/670,998

Examiner

Srirama Channavajjala

Applicant(s)

NEMIROFSKY ET AL.

Art Unit

2166

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 8/1/06.
2. ☒ The allowed claim(s) is/are 1-6,8-33,35-42,45-55,58-65,67 and 69-77 [re-numbered as: 1-69].
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>9/29/06</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

1. Claims 1-6,8-33,35-42,45-55,58-65,67,69-77 are allowed.
2. Examiner acknowledges applicant's amendment filed on 8/1/2006.
3. Claims 1,27,40-42,55,65,67,69,75-77 have been amended [8/1/2006]
4. Claims 43,56,66,68 have been cancelled [8/1/2006].
5. Claims 78-81 have been added [8/1/2006]

Drawings

6. The Drawings filed on 9/24/2003 are acceptable for examination purpose

Priority

7. Applicant's claim for domestic priority under 35 U.S.C. 119(e) is acknowledged based on the provisional application **60/413,113** filed on 9/24/2002.

Claim Rejections - 35 USC § 101

8. In view of applicant's amendment to claims 1,27,40-42,55,65,67,69,75-77, the rejection under 35 USC 101 as set forth in the previous office action is hereby withdrawn.

Interview:

9. Applicant's Attorney Mark J Spolyar, Reg.No. 42,164 is thanked for the telephone interview on 29 September 2006. During that telephone interview Mark J Spolyar granted authorization to ***amend claims: 1,27,40-42,55,65,67,69,75-77*** and ***cancel claims: 7,34,44,57,78-81.***

EXAMINER'S AMENDMENT

10. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Applicant's Attorney Mark J Spolyar on 29 September 2006.

The application has been amended as follows:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Currently amended) A method for graphically generating a search query for transmission to a remote information system comprising:

transmitting a broadcast to a display device;

receiving a command to pause the broadcast from a remote device wherein the remote device has a display screen;

transmitting a still image frame to the display device and the remote device upon receiving the pause command wherein the still image frame comprises a

predefined image frame that corresponds to an image frame of the broadcast that was displayed at substantially the moment when the pause command was received;

receiving telestrator data designating at least a portion of the still image frame and data identifying a user wherein the telestrator data is generated from the user designating a selected region on the display screen of the remote device;

generating the search query comprising the telestrator data, the data identifying the user, and data identifying the still image frame; and

transmitting the search query to the remote information system.

2. (Original) The method of claim 1, further comprising displaying the telestrator data on the display device.
3. (Original) The method of claim 2, wherein the telestrator data is overlaid onto the still image frame displayed on the display device.
4. (Original) The method of claim 1, wherein the broadcast comprises a satellite broadcast or a cable broadcast.
5. (Original) The method of claim 1, wherein the broadcast comprises a previously recorded broadcast stored on a storage device.
6. (Original) The method of claim 1, wherein the still image frame comprises an image frame of the broadcast that was displayed at substantially the moment when the pause command was received.

Claim 7 (Canceled)

8. (Original) The method of claim 1, wherein the telestrator data designates an object of interest in the still image frame.
9. (Original) The method of claim 8, wherein the telestrator data comprises lines and/or curves enclosing the object of interest within the still image frame.
10. (Original) The method of claim 8, wherein the telestrator data comprises one or more pixels placed directly atop the object of interest within the still image frame.
11. (Original) The method of claim 8, wherein the telestrator data comprises a scribble placed directly atop the object of interest within the still image frame.
12. (Original) The method of claim 8, wherein the object of interest is an object shown in the still image frame for which the user desires further information.
13. (Original) The method of claim 1, wherein transmitting the query to a remote information system is carried out over a telephone network.
14. (Original) The method of claim 1, wherein transmitting the query to a remote information system is carried out over a computer network.
15. (Original) The method of claim 14, wherein the computer network comprises the Internet.

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16. (Original) The method of claim 1, wherein transmitting the query to a remote information system is carried out over a wireless network.
17. (Original) The method of claim 1, wherein the commands and the data are received in the form of wireless signals.
18. (Original) The method of claim 17, wherein the wireless signals comprise infrared signals.
19. (Original) The method of claim 17, wherein the wireless signals comprise Bluetooth signals.
20. (Original) The method of claim 17, wherein the wireless signals comprise 802.11 signals.
21. (Original) The method of claim 1, wherein the data identifying the still image frame comprises a frame number.
22. (Original) The method of claim 1, wherein the data identifying the still image frame comprises a time value.
23. (Original) The method of claim 1, wherein the data identifying the still image frame is found in the vertical blanking interval.

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24. (Original) The method of claim 1, wherein the data identifying the still image frame is found in the broadcast signal.

25. (Original) The method of claim 1, wherein the data identifying the still image frame includes a program identifier.

26. (Original) The method of claim 1, wherein the display device comprises a television.

27. (Currently amended) An apparatus for graphically generating a search query for transmission to a remote information system comprising:

a processor;

a memory;

a wireless communications system;

a software application, physically stored in the memory, for generating a query, comprising instructions operable to cause the processor and the apparatus to:

transmit a broadcast to a display device;

receive a command to pause the broadcast from a remote device wherein the remote device has a display screen;

transmit a still image frame to the display device and the remote device upon receiving the pause command wherein the still image frame comprises a predefined image frame that corresponds to an image frame of the broadcast that was displayed at substantially the moment when the pause command was received;

receive telestrator data designating at least a portion of the still image frame and data identifying a user wherein the telestrator data is generated from the user designating a selected region on the display screen of the remote device;

generate the search query comprising the telestrator data, the data identifying the user, and data identifying the still image frame; and

transmit the search query to the remote information system.

28. (Original) The apparatus of claim 27, wherein the wireless communications system comprises an infrared communications system.

29. (Original) The apparatus of claim 27, wherein the wireless communications system comprises a Bluetooth communications system.

30. (Original) The apparatus of claim 27, wherein the wireless communications system comprises an 802.11 communications system.

31. (Original) The apparatus of claim 27, wherein the software application further comprises instructions operable to cause the processor and the apparatus to display the telestrator data on the display device.

32. (Original) The apparatus of claim 31, wherein the telestrator data is overlaid onto the still image frame displayed on the display device.

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33. (Original) The apparatus of claim 27, wherein the still image frame comprises an image frame of the broadcast that was displayed at substantially the moment when the pause command was received.

Claim 34 (Canceled)

35. (Original) The apparatus of claim 27, wherein the telestrator data designates an object of interest in the still image frame.

36. (Original) The apparatus of claim 27, wherein transmitting the query to a remote information system is carried out over a telephone network, a computer network, or a wireless network.

37. (Original) The apparatus of claim 27, wherein the commands and the data are received in the form of wireless signals.

38. (Original) The apparatus of claim 37, wherein the wireless signals comprise infrared signals, Bluetooth signals, or 802.11 signals.

39. (Original) The apparatus of claim 27, wherein the data identifying the still image frame includes a program identifier.

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40. (Currently amended) A computer program product, physically stored on a machine-readable medium, for graphically generating a search query for transmission to a remote information system, comprising instructions operable to cause a programmable processor to:

transmit a broadcast to a display device;

receive a command to pause the broadcast from a remote device wherein the remote device has a display screen;

transmit a still image frame to the display device and the remote device upon receiving the pause command wherein the still image frame comprises a predefined image frame that corresponds to an image frame of the broadcast that was displayed at substantially the moment when the pause command was received;

receive telestrator data designating at least a portion of the still image frame and data identifying a user wherein the telestrator data is generated from the user designating a selected region on a selected region of a display screen of the remote device;

generate the search query comprising the telestrator data, the data identifying the user, and data identifying the still image frame; and

transmit the search query to the remote information system.

41. (Currently amended) A data processing system for graphically generating a search query for transmission to a remote information system, comprising:

means for transmitting a broadcast to a display device;

means for receiving a command to pause the broadcast from a remote device wherein the remote device has a display screen;

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means for transmitting a still image frame to the display device and the remote device upon receiving the pause command wherein the still image frame comprises a predefined image frame that corresponds to an image frame of the broadcast that was displayed at substantially the moment when the pause command was received;

means for receiving telestrator data designating at least a portion of the still image frame and data identifying a user wherein the telestrator data is generated from the user designating a selected region on the display screen of the remote device;

means for generating ~~[[a]]~~the search query comprising the telestrator data, the data identifying the user, and data identifying the still image frame; and

means for transmitting the search query to the remote information system.

42. (Currently amended) A method for graphically generating a search query for transmission to a remote information system comprising:

transmitting a pause command to a receiver wherein the pause command results in a still image frame on a display device;

receiving still image data describing the still image frame wherein the still image frame comprises an image frame of a broadcast that was displayed by the receiver at substantially the moment when the pause command was transmitted;

displaying a representation of the still image frame on a display screen based on the transmitted still image data;

receiving user input comprising telestrator data designating a portion of the representation wherein the telestrator data is generated from a user designating a selected region on the display screen and wherein the telestrator data contains search parameter information to be used as a basis for the search query;

transmitting the telestrator data to the receiver; and

transmitting data identifying the user to the receiver.

Claim 43-44 (Canceled)

45. (Original) The method of claim 42, wherein the still image frame comprises a box having an aspect ratio that corresponds to an aspect ratio of a broadcast displayed by the receiver.

46. (Original) The method of claim 42, wherein the telestrator data designates an object of interest in the still image frame.

47. (Original) The method of claim 46, wherein the telestrator data comprises lines and/or curves enclosing the object of interest within the still image frame.

48. (Original) The method of claim 46, wherein the telestrator data comprises one or more pixels placed directly atop the object of interest within the still image frame.

49. (Original) The method of claim 46, wherein the telestrator data comprises a scribble placed directly atop the object of interest within the still image frame.

50. (Original) The method of claim 46, wherein the object of interest is an object shown in the still image frame for which the user desires further information.

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51. (Original) The method of claim 42, wherein the commands and the data are transmitted in the form of wireless signals.

52. (Original) The method of claim 51, wherein the wireless signals comprise infrared signals.

53. (Original) The method of claim 51, wherein the wireless signals comprise Bluetooth signals.

54. (Original) The method of claim 51, wherein the wireless signals comprise 802.11 signals.

55. (Currently amended) An apparatus for graphically generating a search query for transmission to a remote information system comprising:

- a display screen;

- a user interface;

- a wireless communications system;

- a processor;

- a memory; and

- a client application, physically stored in the memory, for generating a query, comprising instructions operable to cause the processor and the apparatus to:

- transmit a pause command to a receiver wherein the pause command results in a still image frame on a display device;

receive still image data describing the still image frame wherein the still image frame comprises an image frame of a broadcast that was displayed by the receiver at substantially the moment when the pause command was transmitted;

display a representation of the still image frame on the display screen;

receive user input comprising telestrator data designating a portion of the representation wherein the telestrator data is generated from a user designating a selected region on the display screen and wherein the telestrator data contains search parameter information to be used as a basis for the search query;

transmit the telestrator data to the receiver; and

transmit data identifying the user to the receiver.

Claims 56-57 (Canceled)

58. (Original) The apparatus of claim 55, wherein the still image frame comprises a box having an aspect ratio that corresponds to an aspect ratio of a broadcast displayed by the receiver.

59. (Original) The apparatus of claim 55, wherein the telestrator data designates an object of interest in the still image frame.

60. (Original) The apparatus of claim 55, wherein the object of interest is an object shown in the still image frame for which the user desires further information.

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61. (Original) The apparatus of claim 55, wherein the commands and the data are transmitted in the form of wireless signals.

62. (Original) The apparatus of claim 61, wherein the wireless signals comprise infrared signals.

63. (Original) The apparatus of claim 61, wherein the wireless signals comprise Bluetooth signals.

64. (Original) The apparatus of claim 61, wherein the wireless signals comprise 802.11 signals.

65. (Currently amended) A computer program product, physically stored on a machine-readable medium, for graphically generating a search query for transmission to remote information system, comprising instructions operable to cause a programmable processor to:

transmit a pause command to a receiver wherein the pause command results in a still image frame on a first display device;

receive still image data describing the still image frame wherein the still image frame comprises an image frame of a broadcast that was displayed by the receiver at substantially the moment when the pause command was transmitted;

display a representation of the still image frame on a display screen;

receive user input comprising telestrator data designating a portion of the representation wherein the telestrator data is generated from a user designating a

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selected region on the display screen and wherein the telestrator data contains search parameter information to be used as a basis for the search query;

transmit the telestrator data to the receiver; and

transmit data identifying the user to the receiver.

66. (Canceled)

67. (Currently amended) A data processing system for graphically generating a search query for transmission to a remote information system, comprising:

means for transmitting a pause command to a receiver wherein the pause command results in a still image frame on a display device;

means for receiving still image data describing the still image frame wherein the still image frame comprises an image frame of a broadcast that was displayed by the receiver at substantially the moment when the pause command was transmitted;

means for displaying a representation of the still image on a display screen of the data processing system;

means for receiving user input comprising telestrator data designating a portion of the representation wherein the telestrator data is generated from a user designating a selected region on the display screen and wherein the telestrator data contains search parameter information to be used as a basis for the search query;

means for transmitting the telestrator data to the receiver; and

means for transmitting data identifying the user to the receiver.

68. (Canceled)

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69. (Currently amended) A method for retrieving information, about an object, utilizing a graphically generated search query transmitted from a remote location comprising:

receiving the search query comprising telestrator data, data identifying a user, data identifying a still image frame, and a program identifier wherein the telestrator data is generated from the user designating a selected region on a first display screen of a first device that displays a still image frame wherein the still image frame is also displayed on a second display screen of a second device, wherein the still image frame comprises an image frame of a broadcast that was displayed by a receiver at substantially the moment when a pause command was transmitted;

identifying an object locator table associated with the program identifier;

retrieving a portion of the object locator table based on the data identifying the still image frame;

identifying objects of interest in the retrieved portion of the object locator table using the telestrator data; and

providing information associated with the identified objects of interest to the user.

70. (Original) The method of claim 69, wherein the program identifier is station identification information, channel identification information, or vertical blanking interval data.

71. (Original) The method of claim 69, wherein the data identifying the still image frame is a frame number or a time value.

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72. (Original) The method of claim 69, wherein the object locator table comprises a relational database.

73. (Original) The method of claim 69, wherein the telestrator data comprises x, y positional parameters on the still image frame or x, y composite ratios relative to the image aspect of the still image frame.

74. (Original) The method of claim 69, wherein providing information to the user comprises sending an e-mail to the user, providing the information on an Internet website for the user, or transmitting the information to a client device of the user.

75. (Currently amended) An apparatus for retrieving information, about an object, utilizing a graphically generated search query transmitted from a remote location to the apparatus comprising:

a processor;

a memory;

a communications system;

a software application, physically stored in the memory, for generating a query, comprising instructions operable to cause the processor and the apparatus to:

receive the search query comprising telestrator data, data identifying a user, data identifying a still image frame, and a program identifier wherein the telestrator data is generated from the user designating a selected region on a display screen of a first device that displays a still image frame wherein the still image frame is also displayed on a second display screen of a second device, wherein the still image frame comprises an image frame of a broadcast that was

displayed by a receiver at substantially the moment when a pause command was transmitted;

identify an object locator table associated with the program identifier;

retrieve a portion of the object locator table based on the data identifying the still image frame;

identify objects of interest in the retrieved portion of the object locator table using the telestrator data; and

provide information associated with the identified objects of interest to the user.

76. (Currently amended) A computer program product, physically stored on a machine-readable medium, for retrieving information, about an object, utilizing a graphically generated search query transmitted from a remote location, comprising instructions operable to cause a programmable processor to:

receive the search query comprising telestrator data, data identifying a user, data identifying a still image frame, and a program identifier wherein the telestrator data is generated from the user designating a selected region on a display screen of a first device that displays a still image frame wherein the still image frame is also displayed on a second display screen of a second device, wherein the still image frame comprises an image frame of a broadcast that was displayed by a receiver at substantially the moment when a pause command was transmitted;

identify an object locator table associated with the program identifier;

retrieve a portion of the object locator table based on the data identifying the still image frame;

identify objects of interest in the retrieved portion of the object locator table using the telestrator data; and

provide information associated with the identified objects of interest to the user.

77. (Currently amended) A data processing system for retrieving information, about an object, utilizing a graphically generated search query transmitted from a remote location comprising:

means for receiving the search query comprising telestrator data, data identifying a user, data identifying a still image frame, and a program identifier wherein the telestrator data is generated from the user designating a selected region on a display screen of a first device that displays a still image frame wherein the still image frame is also displayed on a second display screen of a second device, wherein the still image frame comprises an image frame of a broadcast that was displayed by a receiver at substantially the moment when a pause command was transmitted;

means for identifying an object locator table associated with the program identifier;

means for retrieving a portion of the object locator table based on the data identifying the still image frame;

means for identifying objects of interest in the retrieved portion of the object locator table using the telestrator data; and

means for providing information associated with the identified objects of interest to the user.

Claims 78-81 (Canceled)

EXAMINER'S AMENDMENT

11. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Pursuant to MPEP 606.01 the Title is changed to read

**--INTERACTIVE GENERATING QUERY RELATED TO TELESTRATOR DATA
DESIGNATING AT LEAST A PORTION OF THE STILL IMAGE FRAME AND DATA
IDENTIFYING A USER IS GENERATED FROM THE USER DESIGNATING A
SELECTED REGION ON THE DISPLAY SCREEN, TRANSMITTING THE QUERY TO
THE REMOTE INFORMATION SYSTEM—**

Reasons for allowance

Claims 1-6,8-33,35-42,45-55,58-65,67,69-77 are allowed

The following is an examiner's statement of reasons for indication of allowable subject matter: The prior art of record does not disclose, make obvious, or otherwise suggest the structure of the applicant's *"receiving telestrator data designating at least a portion of the still image frame and data identifying a user wherein the telestrator data is generated from the user designating a selected region on the display screen of the remote device; generating the search query comprising the telestrator data, the data identifying the user, and data identifying the still image frame"* in claims 1, 27, 40, 41,

"receiving user input comprising telestrator data designating a portion of the representation wherein the telestrator data is generated from a user designating a selected region on the display screen and wherein the telestrator data contains search parameter information to be used as a basis for the search query" in claim 42, 55, 65, 67,

"receiving the search query comprising telestrator data, data identifying a user, data identifying a still image frame, and a program identifier wherein the telestrator data is generated from the user designating a selected region on a first display screen of a first device that displays a still image frame wherein the still image frame is also displayed on a second display screen of a second device", in claims 69, 75-77.


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These features, together with the other limitations of the independent claims are novel and non-obvious over the prior art of record. The dependent claims 2-6,8-26,28-33,35-39,45-54,58-64,70-74 being definite, enabled by the specification, and further limiting to the independent claims are also allowable.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Srirama Channavajjala whose telephone number is 571-272-4108. The examiner can normally be reached on Monday-Friday from 8:00 AM to 5:30 PM Eastern Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alam, Hosain, T, can be reached on (571) 272-3978. The fax phone numbers for the organization where the application or proceeding is assigned is 703/872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free)

sc
Patent Examiner.
September 29, 2006.


SRIRAMA CHANNAVAJJALA
PRIMARY EXAMINER